

REMARKS

Claims 22-29 and 33-34 are pending in this application. By this Amendment, claims 22, 29 and 33-34 are amended and claims 1-11 and 13-21 are canceled without prejudice or disclaimer. Various amendments are made for clarity and are unrelated to issues of patentability.

The Office Action rejects the claims under 35 U.S.C. §103(a) over various combinations of U.S. Patent 6,314,466 to Agarawal et al. (hereafter Agarwal), U.S. Patent 6,192,398 to Hunt, WO 03/028293 to Aksu et al. (hereafter Aksu), U.S. Patent 6,738,980 to Lin et al. (hereafter Lin), and/or U.S. Patent 6,104,441 to Wee et al. (hereafter Wee). The rejections are respectfully traversed with respect to the pending claims.

Independent claim 22 recites receiving a random access request from a remote unit by a transmitting server, searching a random access point in a content file stored in the transmitting server in response to the transmitting server receiving the random access request, and reconfiguring a data stream according to a screen type of the random access point and a coincidence between the random access point and a data transmission starting point. Independent claim 22 recites that reconfiguring the data stream comprises: determining an existing I-frame that is most similar to the random access point when the random access point is determined to be a P-frame and is the data transmission starting point, converting the P-frame into a new I-frame based on values of the existing I-frame and a next P-frame, performing the converting until the next P-frame is the random access point to convert the P-frame random access point into a new I-frame, configuring a media data sample having the new I-frame as the data transmission starting point, configuring a new data stream using the media data sample and

continuous media data samples, and changing a first header information of the new data stream. Independent claim 22 also recites transmitting the new data stream including the changed first header information from the transmitting server to the remote unit.

The applied references do not teach or suggest at least these features of independent claim 22. More specifically, the Office Action (on pages 17-18) states that Agarawal, Hunt, Lin and Aksu do not disclose the claimed converting and repeated converting. The Office Action then cites Wee's col. 11, lines 35-54 (related to FIG. 6) for the missing features. However, the cited section merely describes converting a P frame 241 to an I frame 243. See the flow chart of FIG. 6. As is clearly described, the process yields an I frame as a reference frame for use with the P frame 241. This does not suggest performing the converting until the next P-frame is the random access point to convert the P-frame random access point into a new I-frame.

The applied references, including Lin's cols. 2 and 6, do not teach or suggest determining an existing I-frame that is most similar to the random access point when the random access point is determined to be a P-frame and is the data transmission starting point. The applied references do not teach or suggest the determining of an existing I-frame that is most similar to the random access point.

Additionally, the applied references, as a whole, do not teach or suggest configuring a media data sample having the new I-frame as the data transmission starting point, configuring a new data stream using the media data sample and continuous media data samples, and changing a first header information of the new data stream in combination with transmitting the new data stream including the changed first header information from the transmitting server to the remote

unit. Lin does not suggest these features. Rather, Lin merely describes bit-stream switching. Thus, independent claim 22 defines patentable subject matter.

Independent claim 33 recites determining an I-frame that is most similar to a P-frame random access point requested by a user, converting a next P-frame that is adjacent to the I-frame into a new I-frame based on information of the next P-frame and the I-frame, configuring a media data sample by setting the converted new I-frame as a data transmission starting point after the converting into the new I-frame, changing header information of the media data sample, and transmitting a data stream having the changed header information.

For at least similar reasons, the applied references do not teach or suggest at least these features of independent claim 33. More specifically, Wee does not teach or suggest converting a next P-frame that is adjacent to the I-frame into a new I-frame based on the next P-frame and the I-frame. The applied references, including Lin, also do not teach or suggest determining an I-frame that is most similar to a P-frame random access point requested by a user. Still further, the applied references also do not teach or suggest configuring a media data sample by setting the converted new I-frame as a data transmission starting point after the converting. Thus, independent claim 33 defines patentable subject matter.

For at least the reasons set forth above, each of independent claims 22 and 33 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In addition, the dependent claims recite features that further and independently distinguish over the applied references.

Serial No. **10/678,068**

Reply to Office Action dated November 12, 2008

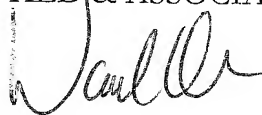
Docket No. **P-0557**

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of claims 22-29 and 33-34 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



David C. Oren
Registration No. 38,694

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DCO/kah

Date: February 9, 2009

Please direct all correspondence to Customer Number 34610